RECEIVED 12-08-CENTRAL FAX CENTER 04:00:35 p.m.

ATTORNEY DOCKET NO.: 2001P4227USEC 0 8 2008

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s):	Tong et al.	CERTIFICATE OF EVERESS MAIL MAILING OR FACCIONIS	
Appln. No.:	09/924,620	CERTIFICATE OF EXPRESS MAIL, MAILING OR FACSIMILE TRANSMISSION  The undersigned hereby certifies that this correspondence is being deposited under Express Mail Label No on the date given below; or being deposited under 37 CFR 1.8 with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date given below, or being facsimile transmitted to the U.S. Patent and Trademark	
Filing Date:	Aug. 7, 2001		
Title:	SYSTEM AND METHOD FOR RATE ADAPTATION IN A WIRELESS COMMUNICATION SYSTEM		
Examiner:	Dmitry Levitan	Office at the fax number and date given below: Facsimile Number: 571-273-8300  No. of Pages: total pages	
Art Unit:	2416	Date of Deposit or Transmission: 12-8-08	
Confirmation:	3155	By: York J. Kin	
Mail Stop RCE COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, VA 22313-1450			
	INFORMATION DISCLOSU	RE STATEMENT	
Sir:	ormation Disclosure Statement is submitte	ad:	
	under 37 CFR 1.97 (b).	ru.	
۵	( Within three months of either the filing prosecution application under 37 CFR 1.5 application; or before mailing date of f	g date of a national application other than a continued 53(d) or the date of national stage entry of international irst office action on the merits; or ⊠ before mailing date est for continued examination under 37 CFR 1.114).	
<u> </u>	under 37 CFR 1.97 (c) together with either Certification under 37 CFR 1.97 (e), 0 the \$ 180.00 fee under 37 CFR 1.17 2179. At any time during the pendency of credit any overpayment to Deposit Account (After the 37 CFR 1.97 (b) time period, but CFR 1.113, or a notice of allowance under prosecution).	er a:  (p) authorized to be charged to Deposit Account 19- of this application, please charge any fees required or nt 19-2179 pursuant to 37 CFR 1.25.  It before mailing date of any of a final action under 37 er 37 CFR 1.311, or an action that otherwise closes	
		authorized to be charged to Deposit Account 19-2179.  pplication, please charge any fees required or credit any pursuant to 37 CFR 1.25.  it on or before payment of the issue fee).	

under 37 CFR 1.97 (i) (Filed after time period of 37 CFR 1.97 (d) or not in compliance with 37 CFR 1.97 or 1.98 - No fee or certification required; references to be placed in file but not considered).

Applicant(s) submit herewith a listing of Information Disclosure Citations which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56:

| With hard copies, if any, of only non-U.S. patents or non-U.S. published patent applications or U.S. pending unpublished patent applications (or portion thereof) (to the extent the hard copy requirement is not waived by the patent office) or publications or other information of which applicant(s) are aware and which should be made of record in the above-identified application; or
| without hard copies of publications or other information which have been submitted previously in the parent application (application no. \_\_\_\_\_) to which the above-identified application claims priority under 35 USC 120 and which should be made of record in the above-identified application.

## 37 CFR 1.97(e) Certifications:

The undersigned hereby certifies under 37 CFR 1.97(e)(1) that each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office a counterpart foreign application not more than three months prior to the filing of the information disclosure statement: OR	in
The undersigned certifies under 37 CFR 1.97(e)(2) that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFI 1.56(c) more than three months prior to the filing of the information disclosure statement.	R
A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on the listing of Information Disclosure Citations, as presently understood by the individual(s) designated in 37 CFR 1.56 (c) most knowledgeable about the content that is giv on the attached separate sheet or incorporated in the applicant's specification or by the enclosed English-language translation or portion thereof within the possession, custody, or control of, or is readily availabto any individual designated in 37 CFR 1.56 (c).	en
Applicant does not believe any fee is due. However, at any time during the pendency of this application please charge any fees required or credit any overpayment to Deposit Account 19-2179 pursuant to 37 CFR 1.2	ı, 25.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made or that no other material information exists. Further, the filing of this information disclosure statement shall not be construed as an admission against interest in any manner or as an admission that the information cited is or is considered to be material to patentability.

PLEASE MAIL CORRESPONDENCE TO:

Siemens Corporation

Customer No. 28524

Attn: Elsa Keller, Legal Administrator
170 Wood Avenue South
Iselin, NJ 08830

Respectfully submitted,

Rosa S. Kim, Reg. No. 39,728 Attorney(s) for Applicant(s) Telephone: 650-694-5330

Date: Dec. 8, 2008.